

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5962 of 2015

Dr. Surya Bhushan Singh, S/o. Late Kailash Prasad, Aged About 34 Years, R/o. C-2/164, Surya Vihar Colony, Junwani, Bhilai, District Durg, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh, Through : Station House Officer, P.S. Bhilai Nagar, Police Kotwali, Sector-6, District Durg, Chhattisgarh

---- Respondent

For Applicant : Mr. T.K.Tiwari, Advocate

For Respondent : Mr. Vivek Singhal, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

05/11/2015

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.215/2015 registered at Police Station- Bhilai Nagar, Police Kotwali, Sector 6, District Durg (C.G.) for the offence punishable under Section 354 of Indian Penal Code & Section (3)(1)(10) of Prevention of Atrocities (SC/ST) Act.
2. Case of the prosecution is that the complainant has lodged a complaint on 26.04.2014 that on 21.04.2014 while she was performing her duty in the Hospital, the applicant called her and thereafter caught hold of her hand and kissed her and thereafter tried to outrage her modesty. The matter was disclosed to the other friends by the victim and subsequently with the help of her father after disclosing the fact to him, the report was lodged.

3. Learned counsel for the applicant submits that the applicant has falsely been implicated and the charge sheet has been filed in this case. He further submits that the applicant is in jail since 07.10.2015 and he has already been suspended, therefore, he may be enlarged on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Having regard to the fact that the charge sheet has been filed and looking to the detention of the applicant as he is in jail since 07.10.2015 and taking into fact that the trial may take some time, I am inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
8. It is directed that the applicant shall be released on bail on furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge